

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 6/21/2024
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCISCO TUY XEP, <i>on behalf of himself and all others</i>	:	
<i>similarly situated,</i>	:	
	:	
Plaintiff,	:	1:23-cv-450-GHW
	:	
-against-	:	
	:	<u>ORDER</u>
DE HOOP CORP, <i>doing business as Kaia Wine Bar, and</i>	:	
SUZAAN HAUPTFLEISCH,	:	
	:	
Defendants.	:	
	:	
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GREGORY H. WOODS, District Judge:


The Court understands that the parties have agreed to withdraw the jury demand. *See* Dkt. No. 39. Accordingly, as discussed during the June 12, 2024 conference: to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge.

If both parties consent to proceed before the Magistrate Judge, counsel for the defendant must, within two weeks of the date of this order file on ECF a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this order (and also available at <https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>). The executed form should be filed on ECF as a “Proposed Consent to Jurisdiction by US Magistrate Judge,” and be described using the “Proposed Consent to Jurisdiction by US Magistrate Judge” filing event in accordance with ECF Rule 13.27. If the Court approves that form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before me. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be if the consent form were not signed and so ordered.

If either party does not consent to conducting all further proceedings before the assigned Magistrate Judge, the parties must file a joint letter, within two weeks of the date of this order advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. The parties are free to withhold consent without negative consequences.

SO ORDERED.

Dated: June 21, 2024
New York, New York


GREGORY H. WOODS
United States District Judge